

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION**

MICHAEL K. HENDERSON,

Plaintiff,

v.

**NCO FINANCIAL SYSTEMS, INC.,
ET AL.**

Defendant.

Case No.: cv-08-s-2280-NE

PLAINTIFF'S MOTION TO DISMISS WITHOUT PREJUDICE

NOW INTO COURT, through undersigned counsel, comes plaintiff, Michael K. Henderson, who respectfully requests that pursuant to Fed. R. Civ. P. 41(a)(2) that this Honorable Court permit plaintiff to dismiss defendants, NCO Holdings, Inc., NCO Group Inc., and NCO Portfolio Management, Inc., without prejudice, with each party to bear their own costs and with plaintiff reserving his claims against all other defendants herein. Undersigned counsel hereby certifies that counsel for defendant, NCO Financial Systems, Inc., has no objections to this Motion.

Dated: January 14, 2009.

Respectfully submitted,

/s/ Penny Hays Cauley

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Counsel for Plaintiff,
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CERTIFICATE OF SERVICE

I certify that on this 14th day of January, 2009, a copy of the Plaintiff's Motion to Dismiss Without Prejudice was filed electronically in the ECF system. Notice of this filing will be sent to the parties of record by operation of the Court's electronic filing system, including Defendant's counsel as described below. Parties may access this filing through the Court's system.

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/s/ Penny Hays Cauley

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